

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Case No. 20-CV-954**

FARHAD AZIMA,

Plaintiff,

v.

NICHOLAS DEL ROSSO and VITAL
MANAGEMENT SERVICES, INC.,

Defendants.

**PLAINTIFF'S MOTION TO
SHOW CAUSE AND FOR IN-
PERSON HEARING**

Plaintiff Farhad Azima moves pursuant to this Court's July 25, 2023, Order (ECF No. 248) and this Court's inherent authority to protect and enforce its Orders for an Order as follows:

(1) reaffirming the Court's July 25, 2023, Order and rejecting Defendants' motions to clarify that order;

(2) requiring Defendants Nicholas Del Rosso and Vital Management Services, Inc. ("Defendants") and nonparty Dechert LLP to show cause why they are not in contempt of the Court's Orders for willfully failing to comply with the Court's Order that they produce all responsive documents by August 8, 2023;

(3) directing both Defendants and Dechert to provide complete and non-evasive responses to Plaintiff's discovery requests in accordance with the Court's previous Order;

(4) sanctioning Defendants and Dechert for their willful refusal to comply with the Court's Order directing discovery responses as follows:

(a) immediate production of all responsive documents on or before Friday, September 8, 2023;

(b) production of all documents not expressly included and described on a privilege log by September 8, 2023;

(c) complying with depositions of Defendant Del Rosso (for three hours), Defendant Vital Management Services, and nonparty Dechert LLP on or before September 29, 2023;

(d) attorneys' fees in connection with the filing and prosecution of this Motion and other motions involving discovery disputes resulting from the delay tactics of Defendants and Dechert in failing to respond to discovery requests;

(e) civil contempt penalties of \$500.00 a day for each day after September 8, 2023, that Defendants and Dechert are not in full compliance with the Court's Orders; and

(4) scheduling an in-person hearing for the Court to inquire into these issues and determine whether any further relief may be necessary.

In support of this Motion, Plaintiff relies upon and respectfully submits the accompanying Memorandum in Support of Motion to Show Cause and

Response to the Motions for Clarification filed by Defendants and Dechert and the related exhibits to that Memorandum.

This, the 29th day of August, 2023.

WOMBLE BOND DICKINSON (US) LLP

/s/ Ripley Rand

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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
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FARHAD AZIMA,

Plaintiff,

v.

NICHOLAS DEL ROSSO and
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SERVICES, INC.,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send electronic notification of this Notice to the following attorneys:

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This, the 29th day of August, 2023.

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